

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - -	-X	
	:	
UNITED STATES OF AMERICA	:	
	:	
- v. -	:	S2 14 Cr. 401 (KPF)
	:	
HAJI NAJIBULLAH,	:	
	:	
	:	
Defendant.	:	
	:	
- - - - -	-X	

Whereas the United States of America, Damian Williams, United States Attorney for the Southern District of New York, by and through Assistant United States Attorneys Sam Adelsberg, Jacob H. Gutwillig, and David J. Robles, seeks an order restricting the dissemination of material produced pursuant to the Jencks Act and *Giglio v. United States*, 405 U.S. 150 (1972) ("3500 Material") in connection with this matter;

Whereas, (i) the 3500 Material will contain sensitive information relating to the investigation and prosecution of the defendant, including non-public information relating to potential Government witnesses; and (ii) with the consent of the defendant, by and through his attorneys Andrew Dalack, Esq., Ariel Werner, Esq., Mark Gombiner, Esq., and Samuel Jacobson, Esq., the Court finds that there is good cause for the requested relief;

IT IS HEREBY ORDERED that the defendant and his defense team -- including but not limited to defense counsel and any U.S.-

based paralegals, investigators, and interpreters working for the defendant or his counsel -- shall not transport or transmit any of the 3500 Material outside of the United States;

IT IS FURTHER ORDERED that the defendant and his defense team shall not show or disseminate any of the 3500 Material to anyone other than the defendant and U.S.-based paralegals, investigators, and interpreters working for defense counsel;

IT IS FURTHER ORDERED that the defendant shall not possess any of the 3500 Material, except when reviewing the 3500 Material in the presence of defense counsel or U.S.-based paralegals, investigators, and interpreters working for defense counsel;

IT IS FURTHER ORDERED that the defendant and his defense team shall return to the Government, or destroy, all of the 3500 Material at the close of any trial in this matter or when any appeals have become final; and

IT IS FURTHER ORDERED that defense counsel may seek authorization of the Court, with notice to the Government, to provide certain specified materials to persons whose access to such materials is otherwise prohibited by this Order, if it is determined by the Court that such access is necessary for the purpose of preparing the defense of the case.

Dated: April 17, 2024  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE